

## **MINUTES**

### **MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** Chair Jim Shockley, on March 11, 2011 at 3:15 PM, in Room 335 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Jim Shockley, Chair (R)  
Sen. Ron Arthun, Vice Chair (R)  
Sen. Joe Balyeat (R)  
Sen. Anders Blewett (D)  
Sen. Larry Jent (D)  
Sen. Llew Jones (R)  
Sen. Carmine Mowbray (R)  
Sen. Jonathan Windy Boy (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Nadine Spencer, Committee Secretary  
Rachel Weiss, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 325, 2/23/2011

Executive Action: SB 325, Do Pass; HB 99, Be Concurred In; HB 40, Be Tabled;  
SB 321, Be Tabled

**HEARING ON SB 325**

**Opening Statement by Sponsor:**

00:00:15 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 325, Referendum to require majority vote in general elections.

[EXHIBIT\(sts55a01\)](#)

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:07:02 Linda McCulloch, Montana Secretary of State

[EXHIBIT\(sts55a02\)](#)

[EXHIBIT\(sts55a03\)](#)

**Informational Testimony:**

00:18:10 Linda Stoll, Montana Association of Clerk and Recorders

**Questions from Committee Members and Responses:**

00:20:39 Sen. Blewett  
00:27:13 Linda McCulloch  
00:27:41 Chairman Shockley  
00:27:50 Sen. Blewett  
00:28:04 Linda McCulloch  
00:28:21 Sen. Mowbray  
00:29:47 Linda McCulloch  
00:30:00 Sen. Arthun  
00:30:16 Sen. Balyeat  
00:30:25 Chairman Shockley

**Closing by Sponsor:**

00:30:55 Sen. Balyeat

[EXHIBIT\(sts55a04\)](#)

**Additional Questions from Committee Members and Responses:**

00:39:21 Sen. Windy Boy  
00:41:15 Linda McCulloch  
00:43:20 Chairman Shockley  
00:43:31 Sen. Mowbray  
00:45:34 Sen. Balyeat  
[EXHIBIT\(sts55a05\)](#)  
00:45:51 Sen. Mowbray

00:46:57 Sen. Blewett  
00:47:15 Sen. Balyeat  
00:47:27 Chairman Shockley

**EXECUTIVE ACTION ON SB 325**

00:47:34 **Motion:** Sen. Balyeat moved that **SB 325 DO PASS.**

**Discussion:**

00:47:46 Sen. Balyeat  
00:48:23 Chairman Shockley  
00:48:53 Sen. Arthun  
00:49:04 Sen. Balyeat  
00:49:09 Sen. Jent left the hearing.  
00:53:07 Sen. Windy Boy  
00:53:26 Sen. Balyeat  
00:54:13 Sen. Blewett  
00:55:34 Sen. Balyeat

00:56:05 **Vote:** Motion carried 5-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Windy Boy voting no. Sen. Jent voted by proxy.

**EXECUTIVE ACTION ON HB 99**

00:57:23 **Motion:** Sen. Blewett moved that **HB 99 BE CONCURRED IN.**

**Discussion:**

00:57:51 Rachel Weiss, LSD  
00:58:23 Sen. Balyeat  
00:58:41 Rachel Weiss

00:59:11 **Vote:** Motion carried unanimously by roll call vote. Sen. Jent voted by proxy. Sen. Blewett will carry the bill.

**EXECUTIVE ACTION ON HB 40**

**Discussion:**

01:00:39 Rachel Weiss  
01:01:00 Sen. Windy Boy  
01:01:10 Sen. Balyeat left the hearing.  
01:01:12 Rachel Weiss  
01:01:25 Chairman Shockley  
01:01:30 Sen. Windy Boy  
01:02:12 Chairman Shockley

01:02:27 **Motion:** Sen. Arthun moved that **HB 40 BE CONCURRED IN.**

01:02:43 **Motion/Vote:** Sen. Windy Boy moved that **HB 40 BE AMENDED**. Motion carried unanimously by voice vote. Sen. Balyeat and Sen. Jent voted by proxy.

**EXHIBIT**(sts55a06)

01:03:17 **Motion:** Sen. Blewett moved that **HB 40 BE CONCURRED IN AS AMENDED**.

**Discussion:**

01:03:24 Sen. Windy Boy  
01:04:32 Chairman Shockley  
01:04:34 Sen. Arthun  
01:04:41 Sen. Windy Boy  
01:05:25 Sen. Blewett  
01:07:24 Chairman Shockley  
01:08:01 Sen. Jones  
01:08:44 Chairman Shockley

01:09:02 **Substitute Motion/Vote:** Sen. Arthun moved that **HB 40 BE TABLED**. Motion carried unanimously by roll call vote. Sen. Balyeat and Sen. Jent voted by proxy.

01:09:50 Sen. Balyeat entered the hearing.

**EXECUTIVE ACTION ON SB 321**

01:11:40 **Motion:** Sen. Arthun moved that **SB 321 DO PASS**.

**Discussion:**

01:11:47 Sen. Balyeat  
01:12:53 Chairman Shockley  
01:12:59 Rachel Weiss  
01:13:30 Sen. Balyeat  
01:15:03 Sen. Blewett  
01:15:24 Sen. Balyeat  
01:15:49 Sen. Windy Boy  
01:15:55 Sen. Blewett  
01:15:58 Sen. Balyeat  
01:18:26 Sen. Mowbray  
01:18:32 Chairman Shockley  
01:18:37 Sen. Windy Boy  
01:18:54 Rachel Weiss  
01:19:11 Sen. Windy Boy  
01:19:44 Sen. Blewett  
01:20:45 Sen. Balyeat  
01:21:55 Chairman Shockley  
01:22:36 Sen. Blewett

01:23:03 **Vote:** Motion failed 4-4 by roll call vote with Sen. Arthun, Sen. Balyeat, Sen. Jones and Sen. Shockley voting aye. Sen. Jent voted by proxy.

**Discussion:**

01:23:55 Chairman Shockley

01:24:36 **Motion/Vote:** Sen. Blewett moved that **SB 321 BE TABLED**. Motion carried 6-2 by roll call vote with Sen. Arthun and Sen. Balyeat voting no. Sen. Jent voted by proxy.

**Discussion:**

01:25:17 Sen. Balyeat

01:26:19 Sen. Blewett

01:26:34 Chairman Shockley

01:26:53 Sen. Balyeat

**ADJOURNMENT**

Adjournment: 4:45 P.M.

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Nadine Spencer, Secretary

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Additional Documents:

**EXHIBIT([sts55aad.pdf](#))**